

1 SIXTH DISTRICT APPELLATE PROGRAM

2 DALLAS SACHER
3 Assistant Director
4 State Bar #100175
5 100 N. Winchester Blvd., Suite 310
6 Santa Clara, CA 95050
(408) 241-6171

7 Attorneys for Petitioner,
8 Milan Paul Pakes

9
10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA

12 MILAN PAUL PAKES,

13 Petitioner,

14 vs.

15 JAMES A. YATES, WARDEN,

16 Respondent.

17 NO. C04-5294VRW (EMC)

18 ORDER TO PRODUCE PETITIONER
19 FROM STATE PRISON

20 Date: December 11, 2006
21 Time: 9:30 a.m.
22 Courtroom: C

23 WHEREAS the plaintiff in the action herein, Milan Paul Pakes, California Department
24 of Corrections and Rehabilitation identification number J-30733, is currently in the custody
25 of the warden of Pleasant Valley State Prison at Coalinga, California located at 24863 West
26 Jayne Avenue, Coalinga, California 93210, telephone number (559) 935-4900.

27 WHEREAS hearing of this matter is set for December 11, 2006 at 9:30 a.m. to be heard
28 at the United States District Court, 450 Golden Gate Avenue, San Francisco, California, in
Magistrate Judge Edward Chen's courtroom, courtroom C, and

WHEREAS plaintiff is a necessary and indispensable party in the action herein; and

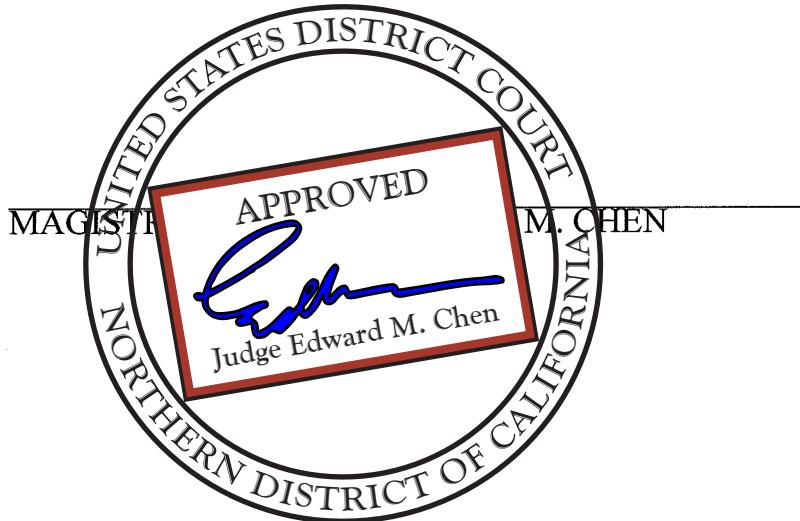
WHEREAS this court has jurisdiction over the plaintiff in this matter;

IT IS HEREBY ORDERED that the Warden of Pleasant Valley State Prison tender
custody of Milan Paul Pakes to the United States Marshall. In turn, the United States Marshall
shall produce Mr. Pakes to the above named court and courtroom, in San Francisco,
California, on December 11, 2006 at 9:30 a.m. for hearing of this matter, for purposes of

1 giving testimony, hearing the testimony of other witnesses presented at the hearing, and any
2 other lawful purpose as a plaintiff is given in a hearing on a petition for writ of habeas corpus.
3 The Marshall shall produce Mr. Pakes each day of the hearing, beginning at 9:30 a.m. until the
4 hearing is completed.

5 IT IS SO ORDERED

6 Dated: November 7, 2006



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PROOF OF SERVICE

I declare that I am over the age of 18, not a party to this action and my business address is 100 N. Winchester Blvd., Suite 310, Santa Clara, California 95050. On the date shown below, I served the within **ORDER TO PRODUCE PETITIONER FROM STATE PRISON** to the following parties hereinafter named by:

X Placing a true copy thereof, enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Santa Clara, California, addressed as follows:

Pamela Critchfield, Esq.
Office of the Attorney General
455 Golden Gate Avenue
Suite 11,000
San Francisco, CA 94102-7004

I declare under penalty of perjury the foregoing is true and correct. Executed this 2nd day of November, 2006, at Santa Clara, California.

Priscilla A. O'Hara

g is true and correct. Executed this 2

Priscilla A. O'Harra